

The saying "Throwing out the baby with the bathwater" is a very appropriate description of the new rulings by the FCC regarding distribution of information via fax.

The new rules are confusing, restrictive, and certainly prejudiced against a very large part of the business and association community.

Fax is primarily used as a business tool, however the Commission seems to ignore the fact that doing business requires buying and selling of goods and services.

The Commission further fails to recognize valid forms of acceptance which it requires of other industries it regulates. Another modern form of communication -the telephone- is often used to request information from a business or association. It stands to reason that a recording of that request would be sufficient proof of permission similar to the verification requirement mandated for the telecommunications industry.

Additionally the Commission has created a new cottage industry. Telemarketing operation which have been silenced by other parts of the ruling will be able to make far more money by randomly dialing businesses and requesting faxed information about a product or service then turning around and bringing suit.